

TO: The Honorable Board of Supervisors

FROM: F. Craig Meadows, County Administrator  
L. Carol Edmonds, Assistant County Administrator

DATE: January 11, 2010

**SUBJECT: AGENDA REPORT**

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**I. CALL TO ORDER**

**II. ELECTION OF CHAIR**

**A. SUBJECT: ELECTION OF CHAIR**

**R-FY-10-  
ELECTION OF CHAIR  
CALENDAR YEAR 2010**

BE IT RESOLVED, That \_\_\_\_\_ be and hereby is, elected as Chair of the Montgomery County Board of Supervisors for the calendar year 2010 or until a successor is elected.

ISSUE/PURPOSE: The first item of business for the Board each calendar year is to elect a Chair. See TAB **A** for procedures.

**III. ELECTION OF VICE-CHAIR**

**A. SUBJECT: ELECTION OF VICE-CHAIR**

**R-FY-10  
ELECTION OF VICE CHAIR  
CALENDAR YEAR 2010**

BE IT RESOLVED, That \_\_\_\_\_ be and hereby is, elected as Vice Chair of the Montgomery County Board of Supervisors for calendar year 2010 or until a successor is elected.

ISSUE/PURPOSE: The Vice Chair is elected and term of office established by the same process as the Chair. See TAB **B** for procedures.

#### **IV. INTO CLOSED MEETING**

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711

- (5) Discussion Concerning a Prospective Business or Industry or the Expansion of an Existing Business or Industry Where No Previous Announcement Has Been Made of the Business or Industry's Interest in Locating or Expanding Its Facilities in the Community.

- 1. Project # 200920

- (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body

- 1. Old Blacksburg Middle School Property

- (1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

- 1. Economic Development Alliance (NRV)
  - 2. Montgomery Regional Solid Waste Authority
  - 3. Parks & Recreation Commission
  - 4. Transportation Safety Commission

#### **V. OUT OF CLOSED MEETING**

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

#### **VI. CERTIFICATION OF CLOSED MEETING**

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

NAYS

ABSENT DURING VOTE

ABSENT DURING MEETING

**VII. INVOCATION**

**VIII. PLEDGE OF ALLEGIANCE**

**IX. ORGANIZATIONAL MATTERS**

**A. SUBJECT: SELECTION OF REGULAR MEETING DATES**

**R-FY-10  
SELECTION OF REGULAR MEETING DATE**

BE IT RESOLVED, That the regular meetings of the Board of Supervisors for calendar year 2010 shall be the 2<sup>nd</sup> and 4<sup>th</sup> Monday of each month. The closed session portion of the meeting shall begin at 6:00 p.m., if closed session is required, or at a time prior to or after 6:00 p.m. as notified by the County Administrator, otherwise the meeting shall begin at 7:15 p.m. in the Board Room of the Montgomery County Government Center, 755 Roanoke Street, Christiansburg, Virginia provided that when the regular meeting day of any month falls upon a legal holiday, such regular meeting in such month shall be held on the following business day; and provided further, that the Board of Supervisors may, by resolution at any meeting, provided that the next following regular meeting

shall be a different time or place, and it shall then be the duty of the County Administrator to give timely notice thereof to all members of the Board and to inform the news media.

BE IT FURTHER RESOLVED, That should the Chairman declare that the weather or other conditions are such that it is hazardous for members to attend the regular meeting, the regular meeting shall be continued to the following Monday. The continuance of the regular meeting shall be communicated to the members and the press as promptly as possible.

ISSUE/PURPOSE: The Board is required to assemble at an office building owned by the County or such other public place as the governing body may prescribe at regular session not less than once each month. The Montgomery County Code enables the day(s) and time to be prescribed by resolution of the Board.

Currently, meeting dates are the 2<sup>nd</sup> and 4<sup>th</sup> Monday of each month beginning at 6:00 p.m., if closed session is required, otherwise the meetings begin at 7:15 p.m. at the Montgomery County Government Center.

Currently, should the Chairman declare that weather or other conditions are such that it is hazardous for members to attend meetings, regular meeting is continued to the following Monday.

**B. SUBJECT: RULES OF ORDER AND  
PARLIAMENTARY PROCEDURES**

**R-FY-10  
RULES OF ORDER AND  
PARLIAMENTARY PROCEDURES**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby adopts the Rules of Order and Parliamentary Procedures for calendar year 2010.

SEE TAB C for a copy of the Rules of Order and Parliamentary Procedures.

ISSUE/PURPOSE: Establish Rules of Order and Parliamentary Procedures for the Board of Supervisors.

**C. SUBJECT: CODE OF ETHICS AND STANDARDS OF CONDUCT**

**R-FY-10  
CODE OF ETHICS AND  
STANDARDS OF CONDUCT**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby adopts the Code of Ethics and Standards of Conduct for calendar year 2011.

SEE TAB **D** for a copy of the Code of Ethics and Standards of Conduct.

ISSUE/PURPOSE: Re-adopt the Code of Ethics and Standards of Conduct for the Board of Supervisors.

**X. PUBLIC HEARING**

**A. SUBJECT: BOARD OF SUPERVISORS**

The following public hearing was advertised pursuant to law in the Current Section of the Roanoke Times on December 27, 2009 and January 3, 2010:

1. Fiscal Year 2010-2011 County Budget  
The purpose of this public hearing is to gather citizen comments on the upcoming 2010-2011 fiscal year budget.

**XI. PUBLIC ADDRESS**

**XII. DELEGATION**

**A. SUBJECT: VIRGINIA DEPARTMENT OF  
TRANSPORTATION**

**Virginia Department of Transportation**

David Clarke, VDOT Residency Administrator, will update the Board of Supervisors on road issues/concerns in Montgomery County.

**XIII. ADDENDUM**

**XIV. CONSENT AGENDA**

**XV. NEW BUSINESS**

**A. SUBJECT: BOARD OF SUPERVISORS  
APPOINTMENTS TO BOARDS  
AND COMMISSIONS**

**R-FY-10-  
BOARD OF SUPERVISORS  
APPOINTMENTS TO BOARDS  
AND COMMISSIONS FOR 2010**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the following Supervisors are appointed as representative to the indicated boards and commissions, effective January 1, 2010 and expiring December 31, 2010:

<u>Board/Commission</u>	<u>Supervisor</u>
AFD Advisory Board	_____
Chamber of Commerce Liaison	_____ (Chair) _____ (Vice-Chair)
County/School Liaison	_____ (County Administrator) _____ (Chair)
Economic Development Alliance (NRV)	_____ (County Administrator) _____ (Chair)
Economic Development Commission (Montgomery Regional)	_____
Fairview District Home Board	_____
Fairview Home, Inc. Board of Directors	_____ (County Administrator)
HOME Consortium (NRV)	_____ _____ ( Alternate)

Legislative Liaison	_____
Library Board Liaison	_____
Metropolitan Planning Organization (MPO)	_____ (Board Member) _____ (Alternate) _____ County Administrator)
Montgomery County Improvement Council (MCIC)	_____
Parks & Recreation Commission Liaison	_____
Planning Commission Liaison	_____ _____ (Alternate)
Resource Conservation & Development District (RC&D)	_____ _____ (Alternate)
Road Viewers Board	<u>All Board Members</u>
School Board Liaison	_____ _____ (Alternate)
Transportation Safety Commission	_____
Tourism Development Council	_____
Virginia Tech Liaison	_____ (County Administrator)

BE IT FURTHER RESOLVED, That employees appointed to boards/commissions/authorities as a representative for Montgomery County, such appointment is contingent upon their continued employment with the County and that any such termination or resignation from employment would also constitute a voluntary resignation from such board/commission/authority.

BE IT FURTHER RESOLVED, The expiration of a Board of Supervisors term in office shall constitute a voluntary resignation from any board/commission/authority appointment as a representative of Montgomery County.

JUSTIFICATION: See TAB **F** for a copy of last year appointments.

All boards/commissions listed above are annual appointments. **Any boards/commissions not listed in the above resolution are not annual appointments.** Community Services Board, Fire and Rescue Commission, MBC Development Corporation, and Planning District Commission are 3-year appointments. Pepper's Ferry Regional Wastewater Treatment Authority, Social Services Board, Virginia's First Regional Industrial Facility Authority, and Virginia Tech/Montgomery Regional Airport Authority are 4-year appointments.

**B. SUBJECT: DECLARATION OF EMERGENCY**

**R-FY-10-  
RESOLUTION DECLARING A LOCAL  
EMERGENCY FOR SEVERE WEATHER EVENT  
DECEMBER 18, 2009**

WHEREAS, Pursuant to Section 44-146.21 of the Code of Virginia of 1950, as amended, on December 18, 2009 the Director of Emergency Services declared a local emergency due to a winter snow storm which left motorists on Interstate 81 in Montgomery County facing dangerous conditions after being stranded in their vehicles for extended periods of time; and

WHEREAS, That due to the weather conditions imminent danger existed to life and property necessitating the proclamation of the existence of an emergency; and

WHEREAS, The Board of Supervisors could not convene to declare a local emergency so the Board desires to confirm at their next regularly scheduled meeting the existence of a local emergency due to a winter snow storm creating an imminent danger to life and property.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby confirms the declaration of local emergency by the County's Emergency Services Director on December 18, 2009 in response to a winter snow storm that left motorists on Interstate 81 in Montgomery County stranded in their vehicles for extended periods of time.



BE IT FURTHER RESOLVED, By the Board of Supervisors, that during the existence of this local emergency, the powers, functions, and directions of the Emergency Services Director and the Emergency Services Coordinator shall be those prescribed by State Law and by the approved local Emergency Operations Plans of the County of Montgomery and any adopted local ordinances and resolutions necessary to protect the health and safety of persons and property in Montgomery County.

ISSUE/PURPOSE: Declare a local emergency.

JUSTIFICATION: On December 18, 2009, snow began to fall around 2:00 p.m. continuing throughout the night into Saturday, December 19, 2009 for a total accumulation of 18-20 inches. In accordance to the Code of Virginia, the duties of the Emergency Services Director, which is the County Administrator, declared a local emergency. Circumstances did not permit the Board of Supervisors to convene in order to consent to the declaration of a local emergency. This resolution confirms the declaration of local emergency.

**C. SUBJECT: APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH VIRGINIA INFORMATION TECHNOLOGY AGENCY (VITA) FOR CUSTOMER PREMISE EQUIPMENT (CPE)**

**R-FY-10-  
RESOLUTION APPROVING  
A MEMORANDUM OF UNDERSTANDING WITH  
VIRGINIA INFORMATION TECHNOLOGY AGENCY (VITA)  
FOR CUSTOMER PREMISE EQUIPMENT (CPE)**

WHEREAS, The Town of Blacksburg and the Town of Christiansburg were each awarded a \$150,000 Public Safety Answering Point Grant in FY 2008, FY 2009 respectively and the County of Montgomery was awarded a \$108,000 Public Safety Answering Point Grant in FY 2010 to purchase replacement customer premises equipment (CPE) for each jurisdiction's 911 call processing centers; and

WHEREAS, Instead of purchasing separate stand alone CPE, the County and the two Towns have agreed in preparation for the consolidated Regional 911 Call Center to work together and participate in a shared solution so that the CPE purchased will provide proper connectivity between the three jurisdictions.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board hereby approves the Memorandum of Understanding between the County of Montgomery and the Virginia Information Technologies Agency (VITA) and the Town of Blacksburg and the Town of Christiansburg for the purpose of establishing a cooperative agreement between VITA and Montgomery County, Town of Blacksburg and the Town of Christiansburg (collectively known as the Montgomery Region) for a shared public safety customer premise equipment solution and funding assistance from VITA.

BE IT FURTHER RESOLVED, The Board of Supervisors hereby authorizes F. Craig Meadows, County Administrator, to execute a Memorandum of Understanding on behalf of the Board of Supervisors.

ISSUE/PURPOSE: Approve a Memorandum of Understanding (MOU) between the County of Montgomery and the Virginia Information Technologies Agency (VITA) and the Town of Blacksburg and the Town of Christiansburg

JUSTIFICATION: To approve a MOU for the purpose of establishing a cooperative agreement between VITA and Montgomery County, Town of Blacksburg and the Town of Christiansburg (collectively known as the Montgomery Region) for a shared public safety customer premise equipment solution and funding assistance from VITA.

See TAB G for a copy of the MOU.

**D. SUBJECT: APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH THE TOWN OF BLACKSBURG AND TOWN OF CHRISTIANBURG FOR FISCAL AGENT AND PROCUREMENT SERVICES FOR CPE**

**R-FY-10-  
RESOLUTION APPROVING  
A MEMORANDUM OF UNDERSTANDING  
WITH THE TOWN OF BLACKSBURG AND  
TOWN OF CHRISTIANBURG FOR FISCAL AGENT  
AND PROCUREMENT SERVICES FOR  
CUSTOMER PREMISE EQUIPMENT**

WHEREAS, The Town of Blacksburg and the Town of Christiansburg were each awarded a \$150,000 Public Safety Answering Point Grant in FY 2008, FY 2009 respectively and the County of Montgomery was awarded a \$108,000 Public Safety Answering Point Grant in FY 2010 to purchase replacement customer premises equipment (CPE) for each jurisdiction's 911 dispatch centers; and

WHEREAS, The County and the two Towns have entered into a Memorandum of Understanding (MOU) with the Virginia Information Technology Agency (VITA) to work together regionally to formulate and fund a shared regional CPE solution and in return VITA has agreed to provide an additional \$343,000 in Grant funds in addition to the individual Grants to be used by all three jurisdictions towards the purchase of CPE and the related connectivity costs.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board hereby approves the Memorandum of Understanding between the County of Montgomery and the Town of Blacksburg and the Town of Christiansburg for a shared regional solution to replacing public safety 911 customer premise equipment, and Montgomery County fiscal agent and administer the grant funds under the MOU.

BE IT FURTHER RESOLVED, The Board of Supervisors hereby authorizes F. Craig Meadows, County Administrator, to execute a Memorandum of Understanding on behalf of the Board of Supervisors.

ISSUE/PURPOSE: Approve a Memorandum of Understanding (MOU) between the County of Montgomery and the Town of Blacksburg and the Town of Christiansburg

JUSTIFICATION: To approve a Memorandum of Understanding for a shared regional solution to replacing public safety 911 customer premise equipment, and Montgomery County fiscal agent and administer the grant funds under the MOU.  
See TAB **H** for a copy of the MOU.

**E. SUBJECT:**

**RESOLUTION OF APPRECIATION  
TRANSPORTATION SAFETY COMMISSION  
GEORGIA ANN SNYDER-FALKINHAM**

**R-FY-10**

**RESOLUTION OF APPRECIATION  
TRANSPORTATION SAFETY COMMISSION  
GEORGIA ANNE SNYDER-FALKINHAM**

**WHEREAS**, The Transportation Safety Commission gathers local input in recognizing and solving problems in the area of highway safety; and

**WHEREAS**, *Georgia Anne Snyder-Falkinham* has faithfully served as a member of the Transportation Safety Commission since January 1, 2004; and

**WHEREAS**, The County recognizes the impartial and dedicated service that *Georgia Anne Snyder-Falkinham* has rendered the citizens of Montgomery County.

**NOW, THEREFORE, BE IT RESOLVED**, The Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, extends a unanimous vote of appreciation and gratitude to *Georgia Anne Snyder-Falkinham*.

**BE IT FURTHER RESOLVED**, That the original of this resolution be presented to *Georgia Anne Snyder-Falkinham* and that a copy be made a part of the official Minutes of Montgomery County.

**ISSUE/PURPOSE:** Adopt a resolution in appreciation of Georgia Anne Snyder-Falkinham's six years of service as a member of the Transportation Safety Commission.

**JUSTIFICATION:** The Transportation Safety Commission is made up of local law enforcement officials representing local town and county government; two citizen appointments; and advisory members representing Virginia State Police, DMV, VDoT and the MPO. Georgia Anne Snyder-Falkinham is one of the Board's citizen appointments. Because Ms. Snyder-Falkinham has served two complete terms, she is not eligible for reappointment.

**F. SUBJECT:**

**RESOLUTION OF COMMEMORATION  
JOSEPH V. GORMAN, JR.**

**R-FY-10-  
RESOLUTION OF COMMEMORATION  
JOSEPH V. GORMAN, JR.**

**WHEREAS,** The recent death of *Joseph V. Gorman, Jr.* has touched and saddened all those who knew and loved him; and

**WHEREAS,** *Joseph V. Gorman, Jr.* served the Montgomery County community for many years in numerous capacities, including the Blacksburg Town Council 1966-1974, the New River Valley Planning District Commission 1971-1997, the Montgomery County Board of Supervisors 1992-2000, the Public Service Authority 1995-2000; and

**WHEREAS,** *Joseph V. Gorman, Jr.* was instrumental in the creation and incorporation of the Montgomery Regional Solid Waste Authority in 1994, and has served as a member of the Authority since its creation; and

**WHEREAS,** Through the performance of his duties and responsibilities as a member of the Montgomery County Board of Supervisors, *Joseph V. Gorman, Jr.* made excellent and constructive contributions to local government in representing Montgomery County on the Virginia's First Regional Industrial Facility Authority, the New River Valley Planning District Commission, Human Services Commission, Solid Waste Management and Recycling Committee, Transportation Safety Commission, Montgomery-Floyd Regional Library Board; and

**WHEREAS,** *Joseph V. Gorman, Jr.* represented Montgomery County on the New River-Highlands Resource Conservation and Development Council for eight years, and in 1998 was presented the Outstanding Council Member award by the RC&D Council for his dedication, cooperation and assistance; and

**WHEREAS,** *Joseph V. Gorman, Jr.* earned the admiration and high regard of those with whom he came into contact and of his fellow public servants and will be greatly missed and lovingly remembered by those who knew him.

**NOW, THEREFORE, BE IT RESOLVED,** The Board of Supervisors of Montgomery County, Virginia, hereby offers its deepest condolences and most heartfelt sympathy to his family.

**BE IT FURTHER RESOLVED,** That the original of this resolution be presented to the family of *Joseph V. Gorman, Jr.* and that a copy be made a part of the official minutes of Montgomery County, that his memory may be so honored.

## **XVI. INTO WORK SESSION**

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. FY 2010-2011 Budget Update : County and Schools

## **XVII. OUT OF WORK SESSION**

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

## **XVIII. COUNTY ATTORNEY'S REPORT**

## **XIX. COUNTY ADMINISTRATOR'S REPORT**

## **XX. BOARD MEMBERS' REPORT**

1. Supervisor Biggs
2. Supervisor Politis
3. Supervisor Muffo
4. Supervisor Creed
5. Supervisor Brown
6. Supervisor Marrs
7. Supervisor Perkins

## **XXI. OTHER BUSINESS**

## **XXII. ADJOURNMENT**

### **FUTURE MEETINGS**

Adjourned Meeting  
Monday, January 25, 2010  
6:00 p.m. – Closed Meeting Items  
7:15 p.m. Regular Agenda

Regular Meeting  
Monday, February 8, 2010  
6:00 p.m. – Closed Meeting Items  
7:15 p.m. Regular Agenda

Adjourned Meeting  
Monday, February 22, 2010  
6:00 p.m. – Closed Meeting Items  
7:15 p.m. Regular Agenda